

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

NATIONAL FEDERATION OF THE
BLIND, ON BEHALF OF ITS MEMBERS
AND ITSELF, AND HEIDI VIENS,
Plaintiffs,

v.

SCRIBD, INC.,
Defendant.

Docket No. 2:14-cv-00162-wks

**SUPPLEMENTAL MEMORANDUM IN SUPPORT OF PLAINTIFF'S
MEMORANDUM OF LAW OPPOSING MOTION TO DISMISS**

Plaintiffs hereby submit this Supplemental Memorandum, bringing to the Court's attention a case decided since the close of briefing, *Straw v. Amer. Bar Ass'n*, 2015 WL 602836 (N. D. Ill. February 11, 2015) (attached as Exhibit A).

MEMORANDUM

In *Straw v. Amer. Bar Ass'n*, the U.S. District Court for the Northern District of Illinois, Eastern Division, observed that the American Bar Association could rightly be considered a "public accommodation" under Title III of the Americans with Disabilities Act even though the organization "may not offer its services at a 'physical site,' such as a store" 2015 WL 602836, at * 6. (N. D. Ill. February 11, 2015). The court noted that the list of public accommodations contained in 42 U.S.C. §12181(7)(A) must be "construed liberally," observing that "any services the Bar Association provides to the public at large could be said to fit comfortably under the statute's definition of 'other service establishments.' " *Id.* at *6 (citations and alterations omitted). Although the court ultimately dismissed the case for lack of standing, it did so only after making clear that a physical site is by no means necessary to trigger the ADA's protections. *Id.* at *7.

(See Next Page for Signatures)

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